

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN

CHARLES SAADIQ,

Case No.

Plaintiff,

Hon.

v.

Magistrate Judge

VITAL RECOVERY SERVICES,
LLC, a Georgia limited liability
company,

Defendant.

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1232, 1441(a) and (b), and 1446(a), (b), and (d), the above-captioned case has been removed by Defendant Vital Recovery Services, LLC ("Defendant"), to the United States District Court for the Eastern District of Michigan, for the following reasons:

1. This action was commenced on August 21, 2020, in the 46th Judicial District Court, and was served on Defendant on or about September 2, 2020.
2. Pursuant to 28 U.S.C. § 1441(a), any civil action brought in a state court of which the district court of the United States has original jurisdiction, may be removed by the Defendant to the district court of the United States for the district and division embracing the place where such action is pending.

3. The 46th Judicial District Court is located in Southfield, Michigan and is located within the jurisdiction of the United States District Court for the Eastern District of Michigan. This Court is the Court embracing the place where the action is pending.

4. This Complaint is removable to the United States District Court for the Eastern District of Michigan, from the 46th Judicial District Court, Oakland County, State of Michigan, pursuant to 28 U.S.C. § 1441(a).

5. This removal is timely. Plaintiff served Defendant on September 2, 2020. Accordingly, this removal is timely under 28 U.S.C. § 1446(b) because Defendants filed their notice of removal fewer than 30 days after it was served.

6. Paragraphs 14-18 of Plaintiff's Complaint alleges the Defendant violated the Fair Debt Collection Practices Act ("FDCPA"). The FDCPA is a federal statute, 15 U.S.C. § 1692, *et seq.* As such, this Court has federal question jurisdiction over this action pursuant to 28 U.S.C. § 1331.

7. Concurrently, Defendant has provided written notice of this Notice of Removal to Plaintiff and filed a copy with the Clerk of the 46th Judicial District Court, Oakland County, State of Michigan, as required by 28 U.S.C. § 1446(d).

8. Pursuant to 28 U.S.C. § 1446(a), copies of the Summons and Complaint, which constitute all process, pleadings, and orders served on Defendant in the State Court Action, are attached collectively as **Exhibit A**.

CONCLUSION

For these reasons, Defendant hereby removes this action from the 46th Judicial District Court for the County of Oakland, Michigan to the United States District Court for the Eastern District of Michigan.

Respectfully submitted,

VARNUM LLP
Counsel for Defendant

Date: September 30, 2020

By: /s/ Randall J. Groendyk
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